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4	UNITED STATES DISTRICT COURT
5	DISTRICT OF NEVADA
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7	UNITED STATES OF AMERICA,
8	Plaintiff, Case No. 2:17-mj-411-GWF
9	vs. ORDER
10	DAVID ARNOLD NORTH,
11	Defendant.
12)
13	This matter is before the Court on the Government's Motion to Strike (ECF No. 15), filed on
14	June 12, 2017.
15	The Government requests that the Court strike Defendant's Notice of Assertion of Right to be
16	Present in Court Unshackled (ECF No. 14) as improperly filed. The Court construes Defendant's
17	filing as a notice of an assertion of his right to not be shackled or placed in other physical restraints
18	during any pretrial hearing. On May 24, 2017, the Court granted the parties' stipulation to continue
19	the preliminary hearing to June 28, 2017. ECF No. 13. If the preliminary hearing goes forward the
20	Court will consider the issue of physical restraints at that time. The Court, therefore, denies the
21	Government's motion to strike as premature. Accordingly,
22	IT IS HEREBY ORDERED that Defendant's Motion to Strike (ECF No. 15) is denied.
23	DATED this 14th day of June, 2017.
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25	GEORGE FOLEY ID
26	GEORGE FOLEY, JR. United States Magistrate Judge
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